

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

RASH GHOSH,
Plaintiff,
v.
CITY OF BERKELEY, et al.,
Defendants.

No. C-14-2922 MMC

**ORDER STRIKING PLAINTIFF'S
SECOND REQUEST FOR JUDICIAL
NOTICE; STRIKING CITY OF
BERKELEY'S LETTER**

By order filed January 12, 2015, the Court granted defendants' motions to dismiss. In said order, the Court also struck certain documents filed by plaintiff after the close of briefing on the motions, as such documents were not filed in conformity with the Local Rules of this District, specifically, Civil Local Rule 7-3(d). See Civil L.R. 7-3(d) (providing, in the absence of prior court approval, or two exceptions not applicable here, party may not submit documents after reply has been filed).


Later that same date, plaintiff submitted, without seeking court approval, a filing titled "For 2nd Judicial Notice of Attached Documents," along with a cover letter by which plaintiff requests the Court consider the documents attached thereto in connection with its review of the motions to dismiss. In response, defendant City of Berkeley, on January 14, 2015, filed a letter in which it points out plaintiff's January 12, 2015 submissions are not proper under applicable court rules, and requests the Court issue an order directing plaintiff

1 to refrain from filing any document other than those permitted by order of court or under a
2 federal or local rule of civil procedure. The City of Berkeley's request, however, is not
3 made in accordance with the Local Rules of this District, see Civil L.R. 7-1(a) (providing
4 any request for court order must be made in form of motion or stipulation), and the Court
5 will take no action thereon.¹

6 Accordingly, plaintiff's January 12, 2015 request for judicial notice, attachments, and
7 cover letter are hereby STRICKEN; and the City of Berkeley's January 14, 2015 letter is
8 hereby STRICKEN.

9 **IT IS SO ORDERED.**

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11 Dated: February 3, 2015


MAXINE M. CHESNEY
United States District Judge

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27 ¹In any event, the requested admonition does not appear necessary at this time.
28 Although, as noted, the Court granted defendants' motion to dismiss on January 12, 2015,
it is apparent plaintiff, who is not approved for e-filing, had not received mailed service of
the order before he filed the above-referenced non-conforming documents.